

4.0 CONSULTATION, COORDINATION, AND PREPARATION

4.1 SCOPING

The Elko District Office (Elko Field Office at the time) determined the proposed Plan of Operations for the Genesis Project was complete on January 9, 2008. An ID Team to consider the impacts of the project and the appropriate level of NEPA analysis was assigned the following week. On February 12, 2008, having reviewed the issues, the Elko District Office determined an Environmental Impact Statement was required. On March 11, 2008, the Elko District Office sent a letter to Newmont Mining which identified four issues as having potentially significant impacts: 1) Impacts to wildlife habitat and migration corridors, 2) Extension of employment at the mine and related economic impacts, 3) Dewatering, particularly if connected to regional groundwater issues, and 4) Release of toxic materials, e.g. mercury, including from processing of ores off site. A number of more minor issues to be considered were also identified.

A Notice of Intent to prepare the EIS was published in the Federal Register (Volume 73, Number 53 pg. 14484) on March 18, 2008. BLM mailed a scoping package that included a project summary and maps to individuals and organizations listed on the Elko District Office mailing list. In addition, the scoping package was distributed at the public scoping meeting.

Concurrent with these actions, BLM issued a press release on March 31, 2008, to radio stations and news organizations with coverage in the surrounding geographical regions in Nevada, Idaho, and Utah. A public scoping meeting was held by BLM in Elko on April 9, 2008. Seventeen members of the public attended, of which one submitted written comments on the Project. Separate meetings were held for the Elko and Eureka County Commissioners. Written responses were received from two individuals and the following, agencies or groups during the public scoping period:

- Elko County Board of Commissioners
- U.S. Fish and Wildlife Service
- Nevada State Historic Preservation Office
- Nevada Division of State Lands
- Great Basin Resource Watch

The scoping period ended May 22, 2008. No scoping comments were received after that date.

4.2 PUBLIC REVIEW OF THE DRAFT EIS

The Draft EIS will be available for public review over a 45-day comment period from the date the Notice of Availability is published in the Federal Register. All parties on the Elko District Office mailing list or interested parties will receive a hard paper copy, compact disc, or be notified of the availability of the EIS on the Elko District Office website, depending on the specific wishes of each party as communicated to the Elko District Office. Additional paper copies will be available at the Elko District Office and an electronic copy will be on the website until the comment period and appeal period for the Record of Decision have expired.

4.3 CONSULTATION AND COORDINATION WITH FEDERAL, STATE, LOCAL AGENCIES, AND TRIBES

4.3.1 COOPERATING AGENCIES

Cooperating agencies in preparing the EIS include:

- Nevada Department of Wildlife (Wildlife issues especially mule deer); and
- Elko County Board of Commissioners (Socio-economic input)
- Region 9 of the U.S. Environmental Protection Agency, in concert with a Memorandum of Understanding signed with the Nevada State Office BLM, has been consulted regarding content of particular interest to the EPA. The EPA has been informally treated as a Cooperating Agency as a result of the agreement documented in the MOU.

4.3.2 CONSULTATION WITH OTHERS

In addition to the cooperating agencies identified above, the following state and federal agencies and other entities were consulted during preparation of the EIS:

- Nevada Department of Conservation and Natural Resources
- Nevada Department of Human Resources
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Te-Moak Tribe Environmental Department
- Eureka County Commissioners

4.3.3 NATIVE AMERICAN CONSULTATION AND COORDINATION

In accordance with Federal legislation and executive orders, Federal agencies must consider the impacts their actions may have to Native American traditions and religious practices. Consequently, BLM must take steps to identify locations having traditional/cultural or religious values to Native Americans and insure that its actions do not unduly or unnecessarily burden the pursuit of traditional religion or traditional life-ways.

The National Historic Preservation Act (P.L. 89-665), the National Environmental Policy Act (P.L. 91-190), the Federal Land Policy and Management Act (P. L.94-579), the American Indian Religious Freedom Act (P.L. 95-341), the Native American Graves Protection and Repatriation Act (P.L. 101-601) and Executive Order 13007 require that BLM provide tribes opportunities to actively participate in the decision making process.

The proposed Genesis Project lies within the traditional territory of the Western Shoshone. However, BLM has not received any information regarding specific spiritual/cultural/traditional activities and sites or Traditional Cultural Properties within or in close proximity to the Project boundary.

In June 2008, the BLM Elko District Office initiated formal Native American consultation by sending a notification letter to the following groups:

- Te-Moak Tribal Council;
- Battle Mountain Band Council;
- Elko Band Council;
- Wells Band Council; and
- Duck Valley Sho-Pai Tribes.

Detailed Tribal coordination and communication files are on file at the BLM Elko District Office and are considered confidential. To date, formal and informal consultation efforts have not identified any specific Western Shoshone Traditional Cultural Properties within or in close proximity to the Genesis Project boundary.

4.4 DISTRIBUTION OF THE DRAFT EIS

This Draft EIS was distributed as follows:

- In accordance with CEQ regulations, a Notice of Availability for this Draft EIS was published in the Federal Register.
- A news release was provided to all area media by BLM at the beginning of the 45-day comment period on the Draft EIS.
- The Draft EIS was distributed to interested parties identified in an updated EIS mailing list (**Table 4-1**). The Draft EIS was also posted on the BLM Elko District Office website.

4.5 DISTRIBUTION OF FINAL EIS

The Final EIS will be distributed as follows:

- Notice of Availability will be published in the Federal Register;
- Copies of the Final EIS or Abbreviated Final EIS will be sent to addresses on the mailing list.
- The Final EIS will be posted on the BLM Elko District Office website.
- A news release will be issued to the same news outlets used for previous Project announcements.

4.6 RECORD OF DECISION

A Record of Decision will be distributed by BLM to individuals and organizations identified on the updated Project mailing list. A news release will be provided to the news media

TABLE 4-1
Genesis Project
Elko District Office Mailing List

Federal Agencies	Local Government (continued)
Bureau of Land Management, Washington, D.C.	Centerra (U.S.) Inc
Bureau of Land Management, Nevada State Office	Great Basin Resource Watch
Bureau of Land Management, Battle Mountain District Office	Hollister Mine
Bureau of Land Management, Carson City District Office	Nevada Mining Association
Bureau of Land Management, Ely District Office	Newmont Mining Co
Bureau of Land Management, Las Vegas District Office	Royal Gold
Bureau of Land Management, Winnemucca District Office	Western Mining Action Project
Department of Energy, Office of Environmental Compliance	Western Watersheds Project
Library of Congress	KRP Consulting, Inc.
Office of Environmental Policy and Compliance	Tribes
Office of Public Affairs	Battle Mountain Band Council
U.S. Department of the Interior, Natural Resources Library	Duck Valley Sho-Pai Tribes
U.S. EPA - Region IX, Office of Federal Activities	Elko Band Council
U.S. EPA Office of Federal Activities	Te-Moak Tribal Council
U.S. Fish & Wildlife Service	Wells Band Council
U.S. Geological Survey	Individuals
Office of Environmental Policy and Compliance	Robert Michna
State Agencies	Mark Dubois
Bureau of Mining Regulation and Reclamation (NDEP)	Joe Armstrong-Nelson
Dept. of Natural Resources (Eureka County)	Thom Seal
Nevada Department of Wildlife	B. Sachau
Nevada State Clearing House	Joseph A. Laravie
University of Nevada Library	Elected Officials
Delamare Library, University of Nevada, - Reno	Honorable Harry Reid
Local Government	Honorable John Ensign
Elko County Planning and Zoning Division	Honorable Dean Heller
Elko County Board of Commissioners	Dean Rhoads (State Senate)
Elko County Manager	John C. Carpenter (State Assemblyman)
Humboldt River Basin Water Authority	Pete Giocoechea (State Assemblyman)
Companies and Organizations	Don Gustavson (State Assemblyman)
Bullion Monarch Mining	